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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/332,029	06/14/1999	PETER C. JONES	06502.0269-0	2426

22852 7590 09/23/2004

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EXAMINER

HO, THE T

ART UNIT	PAPER NUMBER
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2126

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

2/3

Office Action Summary	Application No.		Applicant(s)	
	09/332,029		JONES ET AL.	
	Examiner		Art Unit	
	The Thanh Ho		2126	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-7 and 9-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-7 and 9-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of: _____
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>6/15/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is in response to the amendment filed 6/15/2004.
2. Claims 1-2, 4-7 and 9-13 have been examined and are pending in the application.

Allowable Subject Matter

3. Claims 1-2, 4, 6 -7, 9 and 11-12 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Claim Objections

4. Claim 1 is objected to because of the following informalities: there should be a comma after the phrase "processing entity" (line 8). Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 1-2, 4, 6 -7, 9 and 11-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- A. The claim language in the following claims is not clearly understood:

(i) "processing entity" – (lines 3-4 and 8 claim 1; line 5 claim 2; lines 4-5 and 9 claim 6; line 5 claim 7; lines 2-3 and 7 claim 12). Since there is "second processing entity" in these claims, the mentioned "processing entity" above should be read as "first processing entity". Corrections are required.

(ii) As per claims 1, 6 and 12, it is unclear where the result should be returned to (line 14 claim 1; line 15 claim 6; line 13 claim 12). The limitation should be claimed as "...by the object to the second processing entity". Corrections are required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 5 and 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Guthrie U.S Patent No. 6,385,661.

As to claim 5, Guthrie teaches a method in a data processing system (distributed processing system use to manipulate data, lines 10-15 column 3) having an invocation handler (subject object 18 of the server 12, line 5 column 4) comprising

specifying, by a processing entity (determination if the remote proxy class is needed on the client system, lines 38-52 column 5) at runtime (dynamically generates at run-time, lines 45-47 column 4), at least one interface that is not referenced by the processing entity (lines 38-52 column 5), the interface having a plurality of methods (interfaces and methods of the subject object 18 of the server, line 49 column 5);

generating at runtime (dynamically generates at run-time, lines 45-47 column 4) a class (remote proxy class, line 46 column 4) that implements the interface by generating code for each of the methods (determine methods and then to directly generate the byte codes into a .class file, lines 10-15 column 5) that dispatches (remote proxy object 22 encoding the request and its arguments and send the encoded request to the server object, lines 14-17 column 4) an invocation of the methods (remote proxy object 22, who has an interface and methods identical to subject object 18 of the server, being requested by the client object 20 to process a method within remote proxy object 22 since this proxy object is acting as the real subject object 18 of the server, lines 5-28 column 4) to the invocation handler (subject object 18 of the server 12, line 5 column 4).

As to claim 10, it is a computer readable medium claim of claim 5. Therefore, it is rejected for the same reasons as claim 5 above.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Guthrie.

As to claim 13, Guthrie teaches a data processing system (distributed processing system use to manipulate data, lines 10-15 column 3) comprising a memory (memory, line 59 column 4) containing a proxy class (remote proxy class, line 46 column 4), an instance of the proxy class (a new instance of the compiled .class file may be created which will be remote proxy object 22, lines 4-6 column 5), an interface specified at runtime (wherein remote proxy object 22 has an interface identical to object 18 of the server, lines 9-11 column 4; dynamic generation of remote proxies, lines 61-62 column 4), by a processing entity (lines 38-52 column 5), the interface having methods (list of methods within the remote proxy object 22, line 10 column 4) and is not referenced by the processing entity (lines 38-52 column 5), and an object for handling method invocations (remote proxy object 22 encoding the request and its arguments and send the encoded request to the server object, lines 14-17 column 4), the proxy class implementing the interface (a new instance of the compiled .class file may be created which will be remote proxy object 22, lines 4-6 column 5);

generating the proxy class (remote proxy class, line 46 column 4) at runtime (dynamically generates at run-time, lines 45-47 column 4), receiving a request to access a method of the interface from a second processing entity (remote proxy object 22, who has an interface and methods identical to object 18 of the server, being requested by the client object 20 to process a method within remote proxy object 22 since this proxy

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object is acting as the real server object 18, lines 5-28 column 4) and dispatching the request to the object to facilitate processing of the requested method of the interface (remote proxy object 22 encoding the request and its arguments and send the encoded request to the server object, lines 14-17 column 4), wherein the second processing entity has a reference to the interface (lines 38-52 column 5).

Guthrie does not explicitly teach a processor. However, Guthrie's invention is implemented on a computer system (lines 10-22 column 3). Therefore one of ordinary skill in the art would conclude that the system of Guthrie includes a processor since it is a required component for a computer system to work and since such teaching is well known in the art.

Response to Arguments

8. Applicant's arguments filed have been fully considered but they are not persuasive.

Applicant argued that Guthrie does not teach specifying by a processing entity at runtime at least one interface that is not referenced by the processing entity (Remarks, last paragraph page 8). In response, the applicant argued a limitation that is not claimed before. However, the limitation is still met by the cited reference as disclosed in the claim rejection above.

Applicant argued that Guthrie does not teach an object to receive a dispatch of a method invocation (Remarks, first incomplete paragraph page 9). In response, the

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server object is being invoked by the client object to process a method via the proxy object (lines 5-28 column 4). The reference meets the limitation as claimed.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to The Thanh Ho whose telephone number is (571) 272-3762. A voice mail service is also available for this number. The examiner can normally be reached on Monday – Friday, 8:30 am – 5:00 pm.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Any response to this action should be mailed to:

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Commissioner for Patents

P.O Box 1450

Alexandria, VA 22313-1450

Or fax to:

- AFTER-FINAL faxes must be signed and sent to (703) 872 - 9306.
- OFFICAL faxes must be signed and sent to (703) 872 - 9306.
- NON OFFICAL faxes should not be signed, please send to (571) 273 – 3762

TTH
September 20, 2004



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